

REMARKS

Summary of the Office Action

Claim 26 stands objected to because of informalities.

Claims 1, 4-6, and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Applicants' Admitted Prior Art (hereinafter "AAPA") in view of Yang et al. (U.S. Patent No. 6,383,048) (hereinafter "Yang") and further in view of Gyotoku et al. (U.S. Patent No. 6,195,142) (hereinafter "Gyotoku").

Claims 10, 11, 13-15, 18-21 and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and Yang.

Claims 26-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and in view of Shi et al. (U.S. Patent No. 5,811,177) (hereinafter "Shi").

Claims 12 and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and Yang and further in view of Gyotoku.

Claims 7 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA, Yang and Gyotoku and further in view of Gledhill et al. (U.S. Patent No. 6,180,176) (hereinafter "Gledhill").

Claims 16-17 and 23-24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and Yang and further in view of Gledhill.

Summary of the Response to the Office Action

Applicants have amended each of independent claims 10, 19 and 26 to differently define embodiments of the disclosed invention and to improve their form. Also, Applicants have added a new claim 34. Accordingly, claims 1 and 4-34 are currently pending for further consideration.

Objection to Claim 26

The Office Action objects to claim 26 because of informalities. Applicants have amended claim 26 by deleting the word “smoothly” in accordance with the Examiner’s comments. Accordingly, it is respectfully requested that the objection to claim 26 be withdrawn.

Rejection of claims 1, 4-6 and 9

Claims 1, 4-6, and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA in view of Yang and further in view of Gyotoku. Applicants respectfully traverse the rejection for at least the following reasons.

With regard to independent claim 1, Applicants respectfully submit that AAPA, Yang and Gyotoku, whether taken separately or in combination, do not teach or suggest a claimed combination including at least a feature of “a protective film formed between the seal cover plate and the heat-exhausting layer wherein the protective film has a multi-layer structure of at least a moisture-absorbing layer and a moisture-proof layer.”

In Appellants’ Brief Under 37 C.F.R. § 41.37 filed January 24, 2005, Applicants argued that Gyotoku neither teaches nor suggests that a metal layer 7b may be used as the claimed moisture-proof layer. In response, the Examiner alleges at Page 11 of the Office Action that “Gyotoku discloses (column 9 lines 1-19) **with the metal film 7b** (second layer in the protective film 7) the invasion of moisture or oxygen into the cathode or organic film is completely shut off

and hence this layer is indeed moisture proof.” (Emphasis Added). Applicants respectfully disagree. Applicants still respectfully submit, as argued in Appellants’ Brief, that Gyotoku merely disclose the metal layer 7b to increase the film thickness of the protective layer 7 and suppressing transitional decline of luminance of light emission, rather than any properties of moisture proofing.

Further, regarding the disclosure in column 9, lines 1-19 of Gyotoku, Applicants respectfully submit that the newly-cited portion of Gyotoku merely mentions shutting off invasion of moisture by the protective layer 7, but is completely silent with using **the metal film 7b** to shut off invasion of moisture. In fact, as described in column 9, lines 10-19, Gyotoku discloses that a metal film formed on the insulating compound layer can suppress transitional decline of luminance of light emission, and the material of Ag or In is preferred for being capable of effectively preventing growth of dark spots and transitional decline of luminance of light emission.

Furthermore, MPEP § 2143.01 instructs that “[a]lthough a prior art device ‘may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so.’” Therefore, even if the metal film 7b is capable of shutting off invasion of moisture, there must be a suggestion or motivation in Gyotoku to do so.

Applicants respectfully submit that Gyotoku does not provide such a suggestion or motivation of using the metal film 7b as a moisture-proof layer. In other words, Applicants respectfully submit that AAPA, Yang and Gyotoku, whether taken separately or in combination, do not teach or suggest a claimed combination including at least a feature of “a protective film formed between the seal cover plate and the heat-exhausting layer wherein the protective film has a multi-layer

structure of at least a moisture-absorbing layer and a moisture-proof layer,” as recited by independent claim 1.

Rejection of claims 10, 11, 13-15, 18-21 and 25

Claims 10, 11, 13-15, 18-21 and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and Yang. To the extent that the rejection might be deemed to apply to the claims as newly-amended, it is respectfully traversed as follows.

With regard to independent claim 10, as newly-amended, Applicants respectfully submit that AAPA and Yang, whether taken separately or in combination, do not teach or suggest a claimed combination including at least a feature of “an entire surface of the heat-exhausting film contacts the seal cover plate.”

The Office Action concedes that AAPA fails to disclose a heat-exhausting layer formed on the seal cover plate, but relies upon Yang to teach a packaging shell 29 formed on top of an aluminum nitride layer 28 “which is sealing the OLED and thus enhances the effect of heat dissipation.” (see first paragraph of Page 6 in the Office Action). In contrast to the present invention of newly-amended independent claim 10, Yang merely discloses that the packaging shell 29 is formed on the top of the aluminum nitride layer 28 by using an agglutinant 27 as shown in FIG. 2D of Yang. However, Yang neither teaches nor suggests that an entire surface of the packaging shell 29 (allegedly corresponding to the claimed “heat-exhausting layer”) may contact the aluminum nitride layer 28 (allegedly corresponding to the claimed “seal cover plate”). In other words, Applicants respectfully submit that AAPA and Yang, whether taken separately or in combination, do not teach or suggest the claimed combination including at least

the feature of “an entire surface of the heat-exhausting film contacts the seal cover plate,” as recited by newly-amended independent claim 10.

With regard to independent claim 19, as newly-amended, Applicants respectfully submit that AAPA and Yang, whether taken separately or in combination, do not teach or suggest a claimed combination including at least a feature of “the heat-exhausting film extends to contact the transparent substrate to cover the protective layer.”

The Office Action concedes that AAPA fails to disclose a heat-exhausting layer formed on the protective film, but relies upon Yang to teach a covering layer 40 deposited on top of an aluminum nitride layer 38. (see last paragraph of Page 6 in the Office Action). In contrast to the present invention of newly-amended independent claim 19, Yang merely discloses that the covering layer 40 is deposited on the top of the aluminum nitride layer 38 by sputtering process as shown in FIG. 3D of Yang. However, Yang neither teaches nor suggests that the covering layer 40 (allegedly corresponding to the claimed “heat-exhausting layer”) may extend to contact an ITO glass 30 to cover the aluminum nitride layer 38 (allegedly corresponding to the claimed “protective layer”. In other words, Applicants respectfully submit that AAPA and Yang, whether taken separately or in combination, do not teach or suggest the claimed combination including at least the feature of “the heat-exhausting film extends to contact the transparent substrate to cover the protective layer,” as recited by newly-amended independent claim 19.

Rejection of claims 26-33

Claims 26-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA and in view of Shi. To the extent that the rejection might be deemed to apply to the claims as newly-amended, it is respectfully traversed as follows.

With regard to independent claim 26, as newly-amended, Applicants respectfully submit that AAPA and Shi, whether taken separately or in combination, do not teach or suggest a claimed combination including at least a feature of “an entire surface of the metal thin film contacts the seal cover plate.”

The Office Action concedes that AAPA fails to disclose a metal thin film provided on the seal cover plate, but relies upon Shi to teach an inorganic layer 26 under a polymer laminated aluminum foil 30 (see last paragraph of Page 7 in the Office Action). In contrast to the present invention of newly-amended independent claim 26, Shi merely discloses that the polymer laminated aluminum foil 30 is formed on the top of the inorganic layer 26 to seal an organic LED array 11 (22 and 20) as shown in FIG. 5 of Shi. However, Shi neither teaches nor suggests that an entire surface of the inorganic layer 26 (allegedly corresponding to the claimed “metal thin film”) may contact the polymer laminated aluminum foil 30 (allegedly corresponding to the claimed “seal cover plate”). In other words, Applicants respectfully submit that AAPA and Shi, whether taken separately or in combination, do not teach or suggest the claimed combination including at least the feature of “an entire surface of the metal thin film contacts the seal cover plate,” as recited by newly-amended independent claim 26.

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For at least the reasons set forth above, Applicants respectfully assert that the rejections of independent claims 1, 10, 19 and 26 under 35 U.S. C. § 103(a) should be withdrawn because the all cited references, whether taken separately or combined, do not teach or suggest at least the above cited features as recited by independent claim 1 and newly-amended independent claims 10, 19 and 26. As pointed out in MPEP § 2143.03 instructs that "[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 409 F.2d 981, 180 USPQ 580 (CCPA 1974)." Furthermore, Applicants respectfully assert that the rejections of dependent claims 4-9, 11-18, and 27-33 under 35 U.S. C. § 103(a) should be withdrawn at least because of their dependencies upon the respective independent claims 1, 10, 19 and 26, and for the reasons set forth above.

New Claim 34

Applicants have added new claim 34 to further define the invention. Applicants respectfully submits that new claim 34 is allowable over the prior art of record based on the reasons set forth above.

With no other rejection pending, Applicants respectfully submit that claims 1 and 4-34 are in condition for allowance.

Conclusion

In view of the foregoing, withdrawal of the rejections and allowance of the pending claims are earnestly solicited. Should there remain any questions or comments regarding this response or the application in general, the Examiner is urged to contact the undersigned at the number listed below.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully Submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 

Robert J. Goodell
Reg. No. 41,040

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Customer No.: 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, DC 20004
202-739-3000 (Phone)
202-739-3001 (Fax)